

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, *ex rel.*)
DANIEL C. RICHARDSON, *et al.*,)
)
Plaintiff-Relator,)
)
v.)
)
BRISTOL-MYERS SQUIBB COMPANY,)
)
Defendant.)
_____)

Case No. 1:06-cv-11821-NG

ORDER

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), Plaintiff-Relator Daniel C. Richardson and Defendant Bristol-Myers Squibb Company (“BMS”) filed a Stipulation of Dismissal. Upon consideration of the Stipulation of Dismissal, the consent of the United States, and the entire record herein, it be and hereby is

1. ORDERED that all claims asserted in the Amended Complaint on behalf of the United States and the various named States shall be dismissed with prejudice as to Plaintiff-Relator Richardson and without prejudice as to the United States and the States; and it is

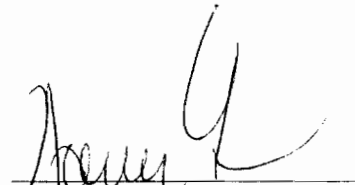
2. FURTHER ORDERED that the dismissal shall be without prejudice to the Plaintiff-Relator’s claim against BMS for statutory attorneys’ fees, expenses and costs under 31 U.S.C. § 3730(d), and BMS’s response thereto, in connection with the parties previous settlement of certain claims and the related Order of Dismissal entered on October 23, 2007 [Doc. 22-2], and the Court shall retain jurisdiction over the case to decide that issue; and it is

3. FURTHER ORDERED that the time for filing a motion relating to the issue of attorneys' fees, expenses, and costs shall be extended to and including July 20, 2010, to afford the parties time in which to attempt settlement of that issue.

IT IS SO ORDERED.

6/23/10

DATE


HON. NANCY GERTNER
United States District Judge